

DEMOCRATIC BANNER.

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POETRY.

[From the London Keepsake for 1849.] STANZAS.

BY FLORENCE WILSON.

Home of my childhood! I leave thee in sorrow,
My footsteps will ne'er cross thy threshold again,
And the sun that will rise on the fast-coming morrow
Will see me a wanderer far over the main.
Home of my youth! where in peace I have slumbered,
Where bright hours of joy all my thoughts could enchain,
I leave thee by sorrow and sadness encumbered,
And sigh for the peace thou once gav'st me in vain.

Home of my heart! where in life's happy morning
No sorrow e'er dwelt, nought could break its repose;
When I laughed at the world, its fell malice all scorning,
With the fearless indifference that youth only knows.
If thou saw'st me depart 'twas with hope of returning,
Now thou see'st me go from thee in silence and woe,—
A wanderer, all solace and happiness spurning,
With anguish that none save the desolate know.

[From the Home Journal.] THE SPRING DOWN IN THE DELL.

Though years have glided, like a dream,
Since I stood by thy side,
Yet still, thou little rippling stream,
I've thought of thee with pride,
And blessed thee, as I bless thee now—
Oh! I remember well!
How thou did'st cool my fevered brow,
Dear Spring, down in the dell!

On many a golden summer hour
I laid me down to rest,
Where every wind would throw a shower
Of blossoms on my breast,
The spangled flowers grew around—
Oh! I remember well!
The mossy rocks, the velvet ground,
The Spring, down in the dell.

Thy waters sparkled in my cup,
And flashed along the rim,
And when I raised it, gladly, up,
And broke its dimpled brim,
Far sweeter than then Samian wine—
Oh! I remember well!
Was that bright crystal wave of thine,
Dear Spring, down in the dell.

And, mirrored in thy mimic glass,
I've watched the artless grace
Of many a dark-eyed village lass,
As she did kiss thy face,
And I have envied thee thy lot—
Oh! I remember well!
Thou wilt not, can'st not be forgot,
Sweet Spring, down in the dell.

LOST TIME.

I threw a bubble to the sea;
A billow caught it hastily:
Another billow quickly came,
Successfully the prize to claim;
From wave to wave unchecked it passed
Till tossed upon a strand at last.
Thus glide unto an unknown shore,
Those golden moments we deplore,
Those moments which, not thrown away,
Might win for us eternal day.

DEMOCRATIC BANNER.

"UNITED WE STAND—DIVIDED WE FALL."

VOL. 4.]

LOUISIANA, PIKE COUNTY, MISSOURI, MONDAY, JANUARY 29, 1849.

[NO. 41.]

The New-Year's Night of an Unhappy One.

From the German of Jean Paul Richter.

In New-Year's night an old man stood at the window, and cast a look of deep despair up to the unchanging, everblooming sky, and down upon the still, pure, snowy earth, on which now no one was so bereft of joy and sleep, as he. For his grave stood close before him. It was covered only by the snow of age, not by the verdure of youth, and he took nothing with him from this whole, rich life—nothing but errors, sins and disease, an emaciated body, a desolate soul—his bosom full of poison and an old age full of repentance. The beautiful days of his youth were changed to-day into ghosts, and transported him back to that bright morning, where his father had first placed him on the crossroads of life, which to the right, upon the sunny road of virtue, leads into a wide, peaceful land, full of light and harvest and angels, and which on the left drags down into the mole-hills of vice, into a black cave, full of dropping poisons, full of hissing snakes and black, hot vapors. Alas, the serpents clung around his breast, and the drops of poison were upon his tongue, and he knew not where he was.

Unconscious, and with the inexpressible grief, he lifted up his hands towards heaven, and exclaimed: "Oh, give me back my youth! Oh father place, place me once more upon the crossroads, that I may choose otherwise!" But his father and his youth had long passed away. He saw ignis fatui dancing upon swamps and extinguished in church yards, and he said: "They are my days of folly!" He saw a star fly from heaven, it glittered in its fall, and vanished on the earth. "That is I!" said his bleeding heart, and the serpent's teeth hurried themselves deeper into its wounds.

His glowing imagination showed him stealthy sleep-walkers on the roofs; and the windmill lifted up its arms, ready to crush him, and a skull in the empty channel house by degrees assumed his features. In the midst of this convulsion the New Year's music suddenly floated down from the steeple, like distant church songs. His emotions became more tender; he looked around the horizon and over the wide earth, and he thought on the friends of his youth, who now, happier and better than he, were fathers of happy children and blessed men, and he said, "Alas, I too might like you have been sleeping with tearless eyes through this New Year's night, if I had chosen.—Alas, I might have been happy, dear parents, if I had fulfilled your New Year's wishes and admonitions."

In the feverish recollection of his youth, it appeared to him as if the skull with his features was arising in the channel-house; finally, through the superstition, which in the New Year's night beholds spirits and futurity, it was converted into a living youth, like the beautiful youth on the capitol, extracting a thorn from his foot, and bitterly his fancy showed him his blooming figure. He could view it no more; he covered his eyes, a thousand hot tears vanished in the snow; disconsolate and despairing he sighed lowly—"return, O! youth, return!" And it did return; for he had only dreamed so horribly in the New Year's night, he was still a youth. His sins alone, had not been a dream; but he thanked God that he, still young, had it still in his power to withdraw from the filthy ways of vice, and to return to the sunny path, which leads to the pure land of harvests.

Turn back with him, young reader, if you are standing on the path of error! This horrible dream will by and by become your judge; but if you should once cry out in misery, "return, beautiful youth!" it would never return.

This statue is preserved on the capitol of Rome, and is next to the Apollon Belvidere; it is considered one of the most perfect pieces of workmanship which antiquity produced.

The cranium is the dwelling-place of the soul; the organ of time is its time-piece; but when the soul sits all day in its back rooms, some-times forgets to wind up its clock. Gall.

FURTHER EXTRACTS FROM GOV. EDWARDS' MESSAGE.

MILITIA LAW.

In addition to an increase of the exemption fee recommended, two other slight amendments should be made in the militia law. In the change from the old system to the new, the officers in commission went out of office with the expiration of the old law, and nobody was left with the authority to hold elections and certify returns. To remedy this, it is suggested that any sworn officer, civil or military, might be authorized to hold elections and make returns. The form of the return should be prescribed and published with the law. The law is further defective in not requiring musicians to give bond for the safe keeping and return of their instruments.

The military fund for the last fiscal year was \$2,699 36. The law was not then in full operation. Of this sum \$1,749 26 have been expended. To the latter sum should be added \$248 08, allowed collectors for commissions and delinquent lists. This would leave a balance of the fund of \$702 02 unexpended.

SECURITYSHIPS.

In my message to the last legislature, the evil consequences of indorsing and becoming surety in private transactions, was referred to your attention. Further reflection has strengthened the opinion that some legislation upon this subject is greatly needed. The practice brings ruin upon the kindest and most obliging men in the land, and subjects their wives and children to want, wretchedness and misery.

THE WOMAN'S LAW.

The foregoing proposition has been considered by some equivalent to the law proposed for the benefit of married women.—This is not my opinion of it. The proposition in my last message was to prevent the sacrifices of a man's property for the debts of others, and was thus, in effect, a law for the benefit of married women; but it proposed no change of the rights of property, and no division of property between husband and wife. The law for the benefit of married women, as it has been called, proposes a separate and distinct property in the husband and wife. My proposition is to keep their interests united. No law dividing their interests in any thing could get a recommendation from me.

HOMESTEADS.

Of a piece with these laws, is that exempting from sale under execution, the homestead of the poor man. From my earliest recollections wisdom and humanity have seemed to me unite in recommending such a law in the code of every nation. It is apparently a small matter but a most important one to the large mass. The father and husband may be a sot and a spendthrift; or he may have lost all from fires, shipwreck or other visitations of providence; or he may have been unfortunate in trade, and in every case broken down with age, distress or disease; or he may have sacrificed all by too generously indorsing for friends and he may still be in debt. To labor in such a case, under our laws, is nearly a hopeless task. If a man makes, at any time, more than the law exempts from sale under execution, it is liable to be seized, and sacrificed—sold for half—a fourth or a tenth of its value, and this would be no benefit to the creditor, and therefore, every man would refuse to make such a surplus, and thus his labor would be lost to himself, his family and his country. But if the man had a home that was his own, he could work upon that—his location would be fixed—his creditor would know where to find him—and the payment of his debt would be rendered more certain.

EVIDENCE.

It has often occurred to me that much trouble and expense might be saved in many suits by a very simple amendment to the law of evidence. That amendment is to allow either party, in all civil suits, to call upon the other to testify, and in case of refusal to let the other testify, as is now done in justices' courts. Such an amendment would not only save the expense of witnesses in many suits, but would also advance the ends of justice, by allowing parties to testify in cases where the facts are known only to themselves. If it be good policy to continue this rule of evidence in justices' courts, it would seem to be equally good to extend it to the circuit courts.

PUBLIC DOCUMENTS.

Several public documents are referred for your consideration. Among them are some resolutions on the subject of a rail road to the Pacific Ocean. This subject merits your particular attention. The route of the road is one of deep interest to our State, and the manner of constructing it one about which we should not feel indifferent.

In the conclusion of my first address to the Legislature, it was stated that an oath had been taken "to support the Constitution of the United States and of this State and to demean myself faithfully in office;" and the opinion was then expressed that the obligations of that oath were fully appreciated, and the importance of the duties fully understood; and a further pledge was given "properly to observe the one and faithfully to discharge the other."—properly to observe the oath and faithfully to discharge the duty.—It is believed that, that pledge has been redeemed; and with an easy conscience and a right good will the affairs of the government are now turned over to my successor, with the hope that the voyage may be smooth and pleasant while he holds the helm—that he may steer clear of bad men—that the legislature may not improperly embarrass him—that the press generally may do him justice—that God Almighty may smile upon his administration, and that the people may be prosperous and happy.

JOHN C. EDWARDS.
Jefferson City, Dec. 26th, 1848.

SLAVERY RESOLUTIONS.

On the 1st inst., Mr. Wells introduced the following resolutions into the Senate of Missouri:

Resolutions introduced into the Missouri Legislature relative to the Wilmot Proviso and the Missouri Compromise.

Be it resolved by the General Assembly of the State of Missouri, as follows:

1st. That the Constitution of the United States confers on Congress no power to legislate on the subject of slavery within the territories of the United States, or to pass any laws affecting the rights of persons or their property within said territories.

2. That the section of the Constitution which empowers Congress "to dispose of and make all needful rules and regulations respecting the territory or other property of the United States," authorizes Congress to legislate over the public territory, as property of the United States, and not otherwise.

3. That this General Assembly still adheres to the principle asserted in our declaration of independence, "that all political power is derived from the consent of the governed,"—that no one people have a right to govern another without their consent; and, therefore, as the people of the territories have never consented that Congress should pass laws for their government, Congress cannot lawfully exercise such power.

4th. That the Constitution of the United States, is a compact on the part of the several States, by which certain powers, originally belonging to said States, and the people of said States were delegated to Congress, but that no power either was or could be delegated which did not belong to said States, or some of them. Therefore, as neither the said States, nor any of them ever possessed the powers of government over the people, Congress cannot have such power.

5th. That the people of the territories do not derive the right of self-government from either the States or the people of the States, but it exists in nature, and belongs alike to all; and it cannot be lost or delegated, except by the people themselves.

6th. That so much of the act of Congress of March 6th, 1820, as provides "that slavery shall never exist north of the parallel of latitude 36 deg. and 30 min.," was wholly unauthorized by the Constitution of the United States, and is therefore void; and whether the slave States, or the free States, are willing to abide by said act, as a compromise or not, is a matter of perfect indifference to the people of the territories. Their right of self-government is wholly independent of all such compromises.

7th. That the Wilmot proviso, (so called,) by which Congress attempts to prohibit the existence of slavery in certain territories, is an act unauthorized by the Constitution, and therefore void. If it were not so, it would be an act of the grossest despotism—the people of the territories have the same rights of government over themselves within the territories, that the people of the States have over themselves within the States.

The Washington Union has a letter from Detroit, which states that Gen. Cass will be returned to the U. S. Senate by an unanimous vote.

MISSOURI LEGISLATURE.

JEFFERSON CITY, JAN. 10.

House.—In the House several petitions were introduced for the relief of individuals, and for privileges to keep groceries without license.

Mr. Frost, from Select Committee, reported back the bill to repeal sections 11 and 12 of an act, relative to casts in criminal cases. Passed.

A bill to establish Jones' Commercial College in St. Louis, was introduced by Mr. Risk, and passed. It incorporates the college with three chairs of Professorship, 1st, Commercial Book keeping. 2d, Commercial Law. 3d, Mathematics.

On motion of Mr. Jones, a resolution was passed requiring the Secretary of State to furnish to the House a list of the newspapers in which the proposed amendments to the Constitution had not been furnished.

On motion of Mr. Sawyer, resolved that the committee on Internal Improvements, be instructed to draft a memorial to Congress asking for a grant to construct a road from Lexington in Lafayette, to the city of Ohio.

An act to incorporate the city of St. Genevieve. Ordered to a third reading.

The following act was read a second time:

An act to amend an act providing for the assessing and collecting of the Revenue. Referred to committee of the whole House.

The following act was passed:

An act to amend an act concerning Divorce and Alimony—granting a divorce for one year's willful absence, and for "intolerable indignities"—such as either party assailing the reputation of the other, or using abusive language to the other. The vote being taken, yeas 54, noes 31.

The constitutional amendments proposed by —, relative to the Judiciary, were referred to the committee on Judiciary—not however, until after a severe contest.

The amendments upon that part of the Constitution, proposed at the last session, were taken up and approved. House adjourned.

January 10th.

SENATE.—An act authorizing the erection of a tomb over the remains of the Hon. James R. McDearmon, late Auditor of State.

The following passed to a third reading: An act authorizing St. Louis city to subscribe stock in the Ohio and Mississippi Railroad Company.

Fifty copies of the bill appropriating \$30,000 for the improvement of the Osage ordered to be printed.

The bill relative to the St. Joseph and Hannibal Railroad was considered.

The Senate adjourned till to-morrow at 10 o'clock.

Jefferson City, 7

Jan. 13th 1849.

SENATE.—From Standing Committee—a bill was reported authorizing the people of Barry to vote by ballot.

On motion of Mr. Jones, referred to Committee on Elections, with instructions to report a bill, making it applicable to all parts of the State.

The Select Committee reported a bill to create the county of Bourbon out of Howard, Boone &c. Some discussion ensued—bill referred—64 to 23.

HOUSE.—Mr. Ewing introduced a petition for amonument to be erected at the expense of the State, to Captain Henly, who fell in the battle of Moro, in New Mexico. Referred to a Select Committee.

On motion of Mr. Henderson, of Pike, the Senate bill for the relief of the heirs of Walker G. Meriwether was taken up and passed.

The House went into committee of the whole, upon the bill introduced by Mr. Switzer, relative to Grant and Petit Jurors, and after some time spent, rose, reported progress and asked leave to sit again.

The bill will in all probability, be amended or rejected.

House adjourned.

"OH, MATTY VAN."—Here is a Whig parody on "Oh, Susannah."

"I had a dream the other night,
When all around was still,
I thought I saw Old Kinderhook
"A going down the hill."
A cabbage stump was in his month,
A tear was in his eye,
Says he, "We're beaten north and south,
But Johnny don't you cry."
"Hit him again, he's got no friends!"—
Boston Post.

Baldwin the Murderer.—The Judge of the Supreme Court of Mo., has reversed the decision of the Judge of the Criminal Court of this county, in the case of Baldwin, who murdered his brother-in-law MATTHEWS, about a year since, and has granted the prisoner a new trial on application of Mr. SHARP, his counsel. In a conversation with the jailor, last evening, we learned that Baldwin, still persists in the strange course of conduct adopted by him a short time prior to his trial. The health of the prisoner is good, he takes his meals regularly, and his personal appearance at present, is not changed perceptibly from what it was at the time he first entered the prison. The Judge of the Criminal Court will determine when his trial takes place.—[St. Louis Union 17th]